

Message Text

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ACTION ARA-17

INFO OCT-01 ADP-00 CIAE-00 DODE-00 PM-09 H-02 INR-10 L-03

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FM AMEMBASSY MONTEVIDEO

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INFO CINCSO

C O N F I D E N T I A L MONTEVIDEO 1506

E. O. 11652: GDS

TAGS: PINT, UY

SUBJ: ERRO CASE - SENATE BEGINS DELIBERATIONS

CINCSO FOR POLAD

REF: MVD 1481

1. SUMMARY: FOLLOWING FRUITLESS EFFORTS TO FIND COMPROMISE SOLUTION ON ERRO CASE, FULL SENATE BEGAN DEBATE EVENING MAY 15 ON EXECUTIVE' S REQUEST TO LIFT CONGRESSIONAL IMMUNITIES OF SENATOR ERRO. SENATE DELIBERATIONS LIKELY TO CONTINUE FOR ONE OR MORE DAYS, AND FINAL OUTCOME VERY PROBABLY WILL BE REFUSAL BY UPPER CHAMBER TO AUTHORIZE MILITARY TRIAL OF ERRO. END SUMMARY

2. COLORADO SENATOR EDUARDO PAZ AGUIRRE AND BLANCO SENATOR ALEMBERT VAZ LED EFFORT YESTERDAY, MAY 15, TO REACH FACE- SAVING SOLUTION WITH MILITARY OVER ERRO CASE. SENATORS, ACCORDING TO PRESS REPORTS, ASSURED ARMED FORCES COMMANDERS- IN- CHIEF THAT CONGRESS WOULD PASS LEGISLATION DESIRED BY THE MILITARY (INCLUDING LAW TO REGULATE UNIONS AND THE TOUGH " CONSOLIDATION OF PEACE" SECURITY LAW) IN RETURN FOR MILITARY ALLOWING THE SENATE TO RETURN ERRO FILE TO MILITARY FOR " FURTHER EVIDENCE". MILITARY CINCS REPORTEDLY REFUSED OFFER, CONFIDENTIAL

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INDICATING THAT ONLY SATISFACTORY SOLUTION NOW ACCEPTABLE TO THE ARMED FORCES WOULD HAVE TO INCLUDE MILITARY ARREST AND TRIAL OF ERRO.

3. LONG- DELAYED FULL SENATE DEBATE FINALLY BEGAN EVENING MAY 15 WITH REQUEST BY MAJORITY OF SENATORS FOR MINISTER OF DEFENSE RAVENNA TO APPEAR BEFORE UPPER CHAMBER IN ORDER TO CONFIRM OR DENY ALLEGATIONS THAT PRESIDENT BORDABERRY HAD TOLD A NUMBER OF SENATORS THAT HE, THE PRESIDENT, WOULD SIGN AN ORDER AUTHORIZING THE MILITARY TO ARREST ERRO REGARDLESS OF THE SENATE OUTCOME. AS SENATE DID NOT FORMALLY DEMAND DEFMIN'S PRESENCE, AND RAVENNA CHOSE TO IGNORE REQUEST, SENATORIAL DISCUSSION SHIFTED TO ADDRESSES BY VARIOUS SENATORS JUSTIFYING THE POSITIONS THEY WOULD TAKE ON THE FINAL VOTE. DEBATE WAS RECESSED AT FOUR THIS MORNING (MAY 16) AND WILL BE CONVENED AGAIN THIS EVENING FOR WHAT IS LIKELY TO BE A SERIES OF LONG AND DETAILED EXPOSITIONS BY MOST OF THE SENATORS. DEBATE SO FAR HAS RUN TRUE TO EARLIER INDICATIONS OF SENATORS' POSITIONS: BLANCO SENATOR BELTRAN, SUPPORTERS OF WILSON FERREIRA ALDUNATE AND THE " FRENTE AMPLIO" INDICATING THAT THEY WILL VOTE AGAINST THE EXECUTIVE' S REQUEST, WHILE MOST COLORADO AND SOME BLANCO SENATORS WILL VOTE FOR IT. COLORADO SENATOR SINGER, WHO HAS BEEN SENATORIAL LEADER IN PRESSING MILITARY' S CASE AGAINST ERRO, HOWEVER, ACKNOWLEDGED " LARGE ERRORS" IN MILITARY JUDGE' S INDICTMENT, AN ADMISSION WHICH WE INTERPRET AS A CONTINUED SENATORIAL HOPE THAT VOTE ON ERRO CASE CAN SOMEHOW BE AVOIDED.

4. BLANCO DEPUTY, WHO IS SUPPORTER OF WILSON FERREIRA ALDUNATE AND WHO WAS IN ATTENDANCE AT LAST NIGHT' S SESSION, TOLD EMBOFFS TODAY THAT FINAL VOTE WILL BE ONLY 16 SENATORS (COLORADO UNR AND LIST 15 PLUS BLANCO SENATOR ECHEGOYEN, BARBOT POU, ZORRILLA DE SAN MARTIN AND VICE PRESIDENT SAPELLI) IN FAVOR OF EXECUTIVE' S REQUEST AND 15 VOTES (" FRENTE", SUPPORTERS OF FERREIRA, COLORADO SENATOR VASCONCELLOS AND BLANCO SENATORS BELTRAN AND HEBER AGAINST. SOURCE EXPRESSED HOPE THAT MILITARY MIGHT BOW TO SENATE' S DECISION TO REFUSE TWO- THIRDS VOTE NECESSARY FOR LEGAL MILITARY TRIAL, BUT ACKNOWLEDGED THAT EVERY REPORT AVAILABLE TO FERREIRA' S SUPPORTERS INDICATED THAT ERRO WOULD BE ARRESTED. (AIR FORCE CINC, GEN. PEREZ CALDAS LEFT NO DOUBT ON THIS SCORE IN COMMENTS TO EMBOFFS MAY 15)

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DEPUTY BELIEVED THAT CONSEQUENCE OF MILITARY' S ILLEGAL ACTION WOULD BE SIMPLE MAJORITY VOTE IN THE LOWER CHAMBER FOR THE IMPEACHMENT OF PRESIDENT BORDABERRY, BUT THAT SENATE VOTE ON CONVICTION WOULD FALL SHORT OF TWO- THIRDS MAJORITY NEEDED. FINAL RESULT, ACCORDING TO SOURCE, WOULD BE THAT THE MILITARY WILL HAVE IGNORED SENATORIAL WILL WITHOUT THE CONGRESS BEING ABLE TO TAKE ANY REAL ACTION IN REPRISAL. MILITARY WILL HAVE NO NEED TO

CLOSE CONGRESS. DEPUTY DID NOT BELIEVE THAT MANY CONGRESSMEN WOULD RESIGN THEIR POSITIONS IN PERSONAL DEMONSTRATION OF DISAPPROVAL OF MILITARY'S ACTION AS THIS WOULD BE POINTLESS SINCE THEIR ALTERNATES WOULD BE PREPARED TO FILL THEIR PLACE.

5. SIMILAR ANALYSIS TO THAT OF BLANCO DEPUTY PROVIDED EMBOFFS BY COLORADO POLITICIAN ON MAY 14.

6. COMMENT: BLANCO DEPUTY'S ASSESSMENT ON BOTH FINAL VOTE AND LIKELY INEFFECTIVENESS OF ANY CONGRESSIONAL EFFORT TO MAKE SENATE DECISION ON ERRO CASE STICK APPEARS ACCURATE, AT LEAST OVER SHORT TERM. HOWEVER, WE WOULD EXPECT SEVERE CONGRESSIONAL CRITICISM OF ANY ILLEGAL MILITARY ACTION. THIS, PLUS THE POSSIBILITY OF FURTHER MILITARY INDICTMENTS AGAINST OTHER CONGRESSMEN, ESPECIALLY BLANCO DEPUTY AND PRESIDENT OF CHAMBER OF DEPUTIES HECTOR GUTIERREZ RUIZ, COULD WELL FORCE FURTHER CONFRONTATIONS WITH THE MILITARY. AS SENATOR BELTRAN NOTED IN HIS MAY 15 SPEECH, THE ERRO CASE HAS FORCED THIS NATION'S INSTITUTIONS TO ENTER A " DARK TUNNEL, AND THE END IS NOT IN SIGHT".
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